

STATE OF NEW YORK  
DIVISION OF TAX APPEALS

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In the Matter of the Petition	:	
of	:	
<b>DANIELLE J. SWAN</b>	:	<b>DETERMINATION</b>
for Redetermination of a Deficiency or for	:	
Refund of Personal Income Tax under Article 22	:	DTA NO. 826633
of the Tax Law for the Year 2009.	:	

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Pursuant to § 3000.3(d)(1) of the Rules of Practice and Procedure of the Tax Appeals Tribunal, where the petition is not in the form required by this section, the supervising administrative law judge shall promptly return it to the petitioner together with a statement indicating the requirements with which the petition does not comply, and extend to the petitioner an additional 30 days within which to file a corrected petition with the supervising administrative law judge.

The petition filed on or about November 19, 2014 did not contain a copy of the Notice of Deficiency being protested as required by § 3000.3(b)(8) of the Rules of Practice and Procedure of the Tax Appeals Tribunal (20 NYCRR 3000.3).

Pursuant to 20 NYCRR 3000.3(d)(2), where the petitioner fails to serve a corrected petition within the time prescribed in 20 NYCRR 3000.3(d)(1), the supervising administrative law judge will issue a determination dismissing the petition.

No response having been received from petitioner as of this date; therefore,

IT IS ORDERED on the administrative law judge's own motion, that the petition be, and it is hereby, dismissed with prejudice as of this date.

DATED: Albany, New York  
June 18, 2015

/s/ Daniel J. Ranalli  
Supervising Administrative Law Judge